

Memorandum

***Governmental Relations Department
City of San Diego***

Andrew Poat
Director

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To: Honorable Mayor & Members of the Committee on Rules,
Finance & Intergovernmental Relations

From: Andrew Poat

Date: December 2, 2002

Re: 2003 State Legislative Priorities

This report is the first of 4 by which the City will establish its 2003 legislative program. This report proposes legislative initiatives for adoption in the 2003 session of the California State Legislature in the following public policy fields:

Economic & Community Development
Energy, Water, Waste Water & Solid Waste
Environmental Stewardship
Housing
Municipal Revenues & Operations
Neighborhood Services
Public Safety
Transportation

Additional reports will follow:

Federal & State Consultant Recommendations	January, 2003
Federal Legislative Priorities	February, 2003
Federal Appropriations Priorities	February, 2003



Economic & Community Development

Redevelopment Law: Expand application of redevelopment powers and financing for Jobs/Housing Balance Redevelopment Project Areas and Infrastructure Deficient Redevelopment Project Areas

- The Jobs/Housing Balance project areas would require findings of an improper balance of housing in relation to employment and would therefore allow the development in the designated area of the use that is deficient. The trade-off in allowing this new type of project area would be an increase in the amount of low-mod housing set-aside.
- The Infrastructure Deficient project areas would be focused on older neighborhood-serving commercial corridors and where shopping centers have reached the end of their commercial cycles. There would be findings of insufficient public infrastructure to support the area's market potential. In order to capture sufficient tax increment to finance infrastructure investments, the project area would have to encompass surrounding residential neighborhoods, so the trade off for obtaining this new type of project area would be an exclusion of eminent domain authority in any residentially zoned areas.

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Energy, Water, Wastewater & Solid Waste

Energy

Public Benefit funds: Authorize municipalities to apply for and receive grants funded from “public benefit” taxes applied to all utility bills.

Self Aggregation: Amend energy co-generation law to require utilities to provide a “kilowatt for kilowatt” credit to municipalities who both purchase and sell energy.

Water

Water Bond: Governmental Relations requests authorization to participate in discussions related to formation of a Water Bond for possible adoption by voters in 2004. IGR will report to Rules Committee as options and discussions reach critical stages.

Solid Waste

Universal waste: Legislative proposals are anticipated that address environmental impacts from classes of hazardous waste that are extremely common in business and household use, including consumer electronic devices (e.g. computers, televisions, lighting devices), batteries, products containing mercury and cathode ray tubes (CRTs). Such proposals will likely include:

- Regulations designed to achieve more environmentally responsible product design
- Definition of roles and responsibilities of local governments, electronic and technology manufacturers, and consumers
- Fees and deposits to fund disposal infrastructure

The Environmental Services Department will present their formal report before the Natural Resources and Culture Committee on January 15, 2003.

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Environmental Stewardship

Funding will be sought for a variety of environmental projects and programs through funds available through Proposition 13, 40 and 50.

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Housing

Multifamily Housing Program: Seek formula, rather than grant, allocation for at least a portion of State Multifamily Housing Program (MHP) funds.

Big 10 Legislative Proposal: Seek legislation to facilitate more infill development, especially more high-density development and to extend the five (5) year life span of general plan EIRs.

Additional Proposals

Smart Growth: The Smart Growth Task Force will discuss legislative proposals at its December meeting.

Housing Task Force: Recommendations of the Task Force will be presented as developed.



Municipal Revenues & Operations

Municipal Operations

CALPERS/Employee Reciprocal Benefits: Authorize CALPERS to permit reciprocity between periods of service in between CALPERS agencies, or agencies having reciprocity agreements with CALPERS, regardless of the period of break in service.

CALPERS/DROP Program: Amend CALPERS law to provide DROP participants either (1) eligibility to draw retirement benefits from CALPERS agencies while they are working in the DROP program, or (2) eligibility to accrue age/formula and high one year increases while employed in the DROP program.

Fiscal Reform: The Governmental Relations Department will return to the Rules Committee in April, 2003 with a recommended position on the Senate President Pro Tem's commission on fiscal reform.

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Neighborhood Services

Parks

Local Match reduction: Seek reduction in 30% local match required for state park funds.

Tweet Street Park: Amend current law to expand the permissible purposes for which Caltrans can lease property to the City to include use as a park. Current law permits homeless daycare only.

Proposition 40 Funding

Libraries

Prop 14: Three rounds of funding are anticipated:

- June 14, 2002: First round applications were due. Council approved applications for Main Library, Logan Heights Branch Library and San Ysidro Branch Library.
- March 28, 2003: Second round applications due. Council to approve applications after First round decision.
- January 16, 2004: Third round applications due. Council to approve applications after Second round decision.

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Public Safety

Felony evasion of a peace officer: Increase penalties for felony evasion of a peace officer to a mandatory two-year sentence for felony evasion and a mandatory seven-year sentence for driving the wrong way on a one-way roadway.

Engaging in a speed contest resulting in injury: Categorize such behavior as a felony. Engaging in a speed contest is currently a misdemeanor, no matter how serious the injury.

Forfeiture of cars involved in speed contests: Require forfeiture of cars involved in speed contests. Existing law permits impoundment only – later released to owner.

Phlebotomists: Authorize phlebotomists to draw blood for forensic alcohol determinations.

Use of Force Task Force Recommendations: Seek appropriations to accomplish the recommendation of the Use of Force Task Force listed below: Add 5 additional canine teams - \$1,275,000

Proposals/projects in progress or under development:

Homeland Security: Reaffirm the direction provided by Public Safety and Neighborhood Services Committee at the hearing of September 11, 2002 to advocate for the City's fair share of funding from the Governor's State Distribution Plan.

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Transportation

Local Transportation Tax - Majority Vote: Reaffirm existing Council authority to seek a reduction from 2/3 to simple majority of local voters to authorize local transportation taxes.